



12-29-03

**PETITION TO MAKE SPECIAL UNDER RULE 102(d)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

Daniel Skorcz

Serial No.: 10/700390

Group Art Unit:

Filed: 11/03/2003

Examiner:

For: Swivel Mount for a Hydraulic Valve Operator

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**PETITION TO MAKE SPECIAL**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.102(d), Applicant hereby petitions the Commissioner to make the subject application special so that it may be taken out of turn for immediate action.

Enclosed are:

1. A copy of the advertisement on the web site for E. H. Wachs; url, <http://www.wachswater.com/TM7%20Swivel.pdf>, showing a product nearly identical to the invention disclosed in the noted application;
2. A copy of December 2003 Waterworld page 51 showing E. H. Wachs “180° Swiveling Valve Operator”.
3. A Declaration from the Inventor,
4. A Declaration of the undersigned attorney in compliance with M.P.E.P. § 708.02 II; and

5. A check in payment of the petition fee required under 37 C.F.R. § 1.17(I).

Due to the fact that Applicant's claims are being infringed (see noted advertisement, Declaration from inventor and Applicant's attorney) and Applicant requires a patent in order to terminate such infringement, this Petition to Make Special is being filed.

Applicant respectfully requests that this Petition be granted.

Respectfully submitted,

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Date: December 23<sup>rd</sup>, 2003